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See *The European*, 10 P. D. 99, 101. See also CLERK & LINDSELL, TORTS, 3 ed., 413. Although the principal case attempts to distinguish between "defective" and "sound" automobiles it, in effect, extends this absolute liability to all accidents caused by internal breakage occurring in the operation of all automobiles, though these in themselves are not dangerous instrumentalities. See *Lewis v. Amorous*, 3 Ga. App. 50, 55, 59 S. E. 338, 340; *Tyler v. Stephan's Adm'r*, 163 Ky. 770, 772, 174 S. W. 790, 791. But see *Ingraham v. Stockamore*, 63 Misc. 114, 116, 118 N. Y. Supp. 399, 401; *Texas Co. v. Veloz*, 162 S. W. (Tex.) 377, 379. Whether this extension, in derogation of the recognized test of liability in affirmative action, is justifiable is largely a matter of policy. The difficulty of proving negligence in increasingly frequent automobile accidents favors it. But the social interest in the free use of the highways might justify considering accidents occurring without negligence, a risk of the highway. See *Nason v. West*, 31 Misc. 583, 586, 65 N. Y. Supp. 651, 652; *Indiana Springs Co. v. Brown*, 165 Ind. 465, 468, 74 N. E. 615, 616. Allied questions, such as vicarious liability for the use of automobiles, have been dealt with by statutes in some states. See 1915 MICH. PUB. ACTS, No. 302, § 29; 1905 TENN. ACTS, c. 173, § 5. It seems preferable to leave such an innovation to the legislature. The actual facts of the principal case may, however, show real negligence and the decision be therefore unobjectionable. See *Ivins v. Jacob*, 245 Fed. 892.

VESTED, CONTINGENT, AND FUTURE INTERESTS — CONTINGENT REMAINDERS — REARRANGEMENT AND PRESERVATION OF ESTATES. — A testator devised lands to trustees to the use of the plaintiff for life, remainder to the plaintiff's first and other sons successively in tail male, remainder to the defendant for life, remainder to the defendant's first and other sons successively in tail male, ultimate remainder to the testator's own right heirs. The plaintiff was also the heir-at-law. By a subsequent codicil the testator revoked the life-estate and "all other benefits" given to the plaintiff. At the testator's death, the plaintiff had had no son. A dispute arose between the plaintiff as heir-at-law and the defendant as to the rents and profits. *Held*, that until the plaintiff has a son the defendant is entitled. *In re Conyngham*, [1920] 2 Ch. 495.

The result of the principal case is to change the contingent equitable interest of the plaintiff's unborn son into an executory devise, and to allow the defendant's estate to take effect at once, subject to that devise. An early case, though concerning limitations created *inter vivos*, in effect refused to do this, because of the court's abhorrence at rearranging the order of estates. See *Carrick v. Errington*, 2 P. Wms. 361, 364 (aff. 5 Bro. P. C. 391). Recently, where legal interests were devised, the court in a much criticized decision refused to accelerate the future limitation, and gave the profits in the interim to the residuary devisee. *In re Scott*, [1911] 2 Ch. 374. See Frederick E. Farner, "Acceleration of Remainders," 32 L. Q. REV. 392, 407-410. But this was not followed in a case involving equitable interests where the life-tenant renounced. *In re Willis*, [1917] 1 Ch. 365. The result in the principal case is to a great degree rested on this decision. The question, which has apparently not arisen in this country, is one of construction. The court here finds clearly that the testator by his revocation intended to give the plaintiff nothing even as heir-at-law. But though the defendant is therefore entitled to the property at once, there is an interest in preserving the estate in plaintiff's as yet unborn sons. *Gore v. Gore*, 2 P. Wms. 28. Cf. *Astley v. Micklethwait*, 15 Ch. D. 59. See GRAY, RULE AGAINST PERPETUITIES, 3 ed., § 116, note. And the statutes making contingent remainders indestructible show the legislature favors such a result. See 8 & 9 VICT. c. 106, § 8; 40 & 41 VICT. c. 33. See also 2 WASHBURN, REAL PROPERTY, 6 ed., note, 554-557. Altogether the decision is undoubtedly correct.